

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MARIJUANA REGULATORY AGENCY

In the Matter of

Pharmaco, Inc. dba The Station
ERG No.: 000091
License No.: PC-000267
ENF No.: 20-00016

CMP No.:19-000867

FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against Pharmaco, Inc. dba The Station (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or rules.

2. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions on the license.

3. Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana facility operations.

4. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marijuana facility operations.

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FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

5. Respondent holds an active state operating license under the MMFLA to operate a medical marihuana provisioning center in the state of Michigan.

6. Respondent operated at 302 East Huron Avenue, Vassar, Michigan, 48768 at all times relevant to this complaint.

7. Following an investigation that was completed on December 12, 2019, the MRA determined that Respondent violated the MMFLA and/or administrative rules promulgated thereunder as set forth below:

- a. Respondent made multiple sales of the marijuana products associated with the following statewide monitoring system (METRC) tags with deficient labelling:
 - i. 1A4050100000836000001057 (METRC tag #1057; Mad Max and Mac Daddy) did not contain the business license number, concentration of THC, or activation time;
 - ii. 1A4050100000836000001187 (METRC tag # 1187; Orange Cream PR) did not contain the business name, license number, or activation time;
 - iii. 1A4050100000836000001032 (METRC tag # 1032; Light Saber) did not contain the business license number, concentration of THC, or activation time; and
 - iv. 1A40501000008360000001131 (METRC tag # 1131; Premium Palm) did not contain the business license number, concentration of THC, or activation time.
- b. Respondent sold marihuana product without the container, bag, or product holding the marihuana product having a label with the information required in violation of Mich Admin Code R 333.273 (1)(a), (g), and/or (h).
- c. Respondent had produced caviar pre-rolls outside the scope of its licensing authority as a provisioning center in violation of MMFLA 504 (1), which only authorizes a provisioning center to purchase and/or transfer marihuana.

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THEREFORE, based on the above, the MRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Under MCL 333.27407(4) and Mich Admin Code, R 333.29494(2), any party aggrieved by an action of the MRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the MRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

Respondent also has the right to request a compliance conference under Mich Admin Code, R 333.294(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MMFLA and/or rules. A compliance conference request must be submitted to the MRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods.

By Mail: Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909

In Person: Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
2407 North Grand River
Lansing, Michigan 48906

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter. The MRA reserves the right to review the formal complaint and amend it should this matter proceed to a contested case hearing.

Questions about this complaint should be directed to the Marijuana Regulatory Agency's legal section at (517) 284-8599 or MRA-LegalHearings@michigan.gov.

Dated: 03/05/2020

MARIJUANA REGULATORY AGENCY

By: 
Kavita Kale, Enforcement Division Director

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PROOF OF SERVICE

I hereby certify that on the date below, I mailed a copy of the Formal Complaint dated March 5, 2020, in the above captioned case by certified mail (return receipt requested) to:

Pharmaco, Inc. dba The Station
22000 Northwestern Hwy.
Southfield, MI 48075

With a copy to:

Scott Roberts
Scott F Roberts Law PLC
500 Temple St Ste 2M
Detroit, MI 48201-2659



Abby Rae Brooks
Departmental Technician
Marijuana Regulatory Agency
Department of Licensing & Regulatory
Affairs